

Message Text

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ACTION IO-10

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PASS LABOR FOR SEGALL, PERSONS AND QUACKENBUSH

E.O. 11652: N/A

TAGS: ILO

SUBJECT: ILO: IMPLICATIONS OF NOTICE OF WITHDRAWAL

REFS: A) GENEVA 5667; B) GENEVA 5300

1. SUMMARY. IN CONVERSATION WITH LABATT ON LOSS OF VOTING RIGHTS IN ILO BECAUSE OF ARREARS, ASSISTANT LEGAL ADVISER ALSO COMMENTED ON SOME POSSIBLE IMPLICATIONS FOR US OF WITHDRAWAL OF MEMBER STATES FROM ILO.

2. ILO ASSISTANT LEGAL ADVISER MORGENSTERN CONFIRMED THAT IF US MADE NO PAYMENT OF ITS ASSESSMENTS AFTER JUNE 30, 1974 THAT UNDER ARTICLE XIII, PARA 4 OF ILO CONSTITUTION, US WOULD LOSE VOTING RIGHTS ON JANUARY 1, 1978.

3. MORGENSTERN POINTED OUT THAT SHOULD US WITHDRAW FROM ILO (ARTICLE I, PARA 5), IT WOULD BE NECESSARY (UNDER ARTICLE 7, PARA 3) TO DETERMINE THE COUNTRY THAT WOULD TAKE THE VACANT NON-ELECTIVE SEAT AS A MEMBER OF CHIEF INDUSTRIAL IMPORTANCE (MCII) ON THE GOVERNING BODY. THE DETERMINATION COULD BEGIN ON THE EFFECTIVE DATE OF US WITHDRAWAL. THE MOST LIKELY NEW MCII IS INDONESIA (BECAUSE OF THE POPULATION FACTOR IN LIMITED OFFICIAL USE

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THE DETERMINATION), WITH BRAZIL CLOSE BEHIND AND THEN THE

DEMOCRATIC REPUBLIC OF GERMANY. BECAUSE DIFFERENCES BETWEEN STATES AT THE BOTTOM OF THE TEN MCII ARE RELATIVELY SMALL IT IS NOT POSSIBLE TO SAY FOR SURE WHO THE 10TH STATE (OR POSSIBLY EVEN THE NINTH STATE) WOULD BE.

4. IN DISCUSSING RE-ENTRY AFTER WITHDRAWAL, MORGENSTERN SAID PARA 6 OF ARTICLE I WOULD APPLY IF THE US WERE STILL A MEMBER OF THE UN. HOWEVER, THE US COULD NOT EXPECT TO IMMEDIATELY RESUME ITS NON-ELECTIVE SEAT ON THE GOVERNING BODY; THIS WOULD PROBABLY TAKE TWO GB SESSIONS: ONE TO NOTE THE RE-ENTRY AND TO AUTHORIZE A DETERMINATION OF THE MCII, AND THE SECOND SESSION TO NOTE THE RESULTS OF THE DETERMINATION. ALTHOUGH THE US PLACE AMONG THE 10 MCII IS SECURE, THERE WOULD BE SUFFICIENT DOUBT ABOUT WHO THE US WOULD DISPLACE TO MAKE A SECOND DETERMINATION INEVITABLE, EVEN IF RE-ENTRY TOOK PLACE WITHIN A YEAR OF US WITHDRAWAL. BECAUSE APPROVAL OF AMENDMENTS TO THE CONSTITUTION NEED ASSENT OF GIVE OF MCII (ARTICLE XVI), MORGENSTERN SUGGESTED WITHDRAWAL OF THE US COULD MAKE STRUCTURAL REFORM OF THE ILO SOMEWHAT EASIER DURING THE PERIOD US WAS OUT OF ILO OR AFTER RE-ENTRY BUT BEFORE REGAINING ITS STATUS AS MCII.

5. MORGENSTERN ALSO SAID NOTICE OF INTENT TO WITHDRAW COULD BE WITHDRAWN AT ANY TIME BEFORE EFFECTIVE DATE OF THAT ACTION.
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